

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CAROLYN LINDSEY-GROBES
9108 Mezmer Court
Clinton, MD 20735

Plaintiff,

v.

UNITED AIRLINES, INC., t/a
UNITED CONTINENTAL HOLDINGS,
INC. f/k/a UAL CORPORATION f/k/a
CONTINENTAL AIRLINES
77 W. Wacker Drive
Chicago, IL 60601

Serve on: Resident Agent
The Corporation Trust Inc.
351 West Camden Street
Baltimore, MD 21201

Defendants.

Civil Action No.: _____

JURY TRIAL DEMANDED

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

The Plaintiff, Carolyn Lindsey-Grobes (hereinafter referred to as “Plaintiff”), by and through her attorney, Robert E. Joyce, sues the above captioned Defendants and in support states as follows:

1. Plaintiff is a resident of the state of Maryland residing at 9108 Mezmer Court, Clinton, Prince George’s County, Maryland 20735.
2. Defendants are a commercial airline company with their principal place of business located at 77 W. Wacker Drive, Chicago, IL 60601. At all times relevant to this Complaint, Defendants have operated a commercial airline business from Baltimore Washington

International Airport (BWI).

3. This is a civil action brought under 42 U.S.C. §§2000(e), et seq. (Title VII of the Civil Rights Act of 1964, as amended) for employment discrimination on the basis of race, color, religion, sex and/or national origin.

4. Venue is proper within this District pursuant to 42 U.S.C. §§ 2000e-5(f) (3) as adopted by the terms of 42 U.S.C. §§ 12117(a), and 28 U.S.C. §§ 1391.

5. Plaintiff brings this case because the Defendants, by and through their agent, servant and/or employee Mr. Tony Jones, discriminated against the Plaintiff based on her race. During the February 2010 back-to-back blizzards Airport Sales Agents were often given single hotel rooms near the airport to accommodate their inability to get back and forth for their shifts at Baltimore-Washington International Airport (BWI).

6. Following the completion of her shifts on February 5, 2010 and February 11, 2010, Plaintiff, who is African American, requested a hotel room from her supervisor Mr. Jones and was first forced to share a room with other African-American co-workers on February 5, 2010, and then on February 10, 2010 was denied a room outright, whereas the same supervisor granted similarly situated white employees single rooms on both occasions. When Plaintiff complained about the disparate treatment, she was subject to retaliatory monitoring of her performance, breaks and bidding on shifts.

7. The Plaintiff began her employment with the Defendants at their Baltimore Washington International Airport location on or about June, 1996 as an Airport Sales Agent.

8. The pattern of racial discrimination against Plaintiff began approximately

one year earlier, during a December 2009 snowstorm. On Friday, December 18, 2009, a major snowstorm/blizzard was predicted to hit the Maryland/ DC area.¹ In these situations, Defendants gives out hotel rooms so employees can get to work and so inclement weather will not result in a lack of agents to run operations at the airport.

9. On or about Friday, December 18, 2009, Plaintiff was on a plane coming from Houston where she had been on company related business. When she arrived at DCA (Regan National Airport, Washington, DC), she called and spoke to Mr. Tony Jones, her supervisor, and asked for an airport hotel room. She was told "no," because she did not work on Saturday, December 19, 2009. Plaintiff told Mr. Jones if he gave her a room, she would come in and work for someone who couldn't make it in. Mr. Jones spoke to Aaron Boisey and then told her "no," because they did not want to pay her overtime.

10. Later Plaintiff learned that Jane Warble, a white agent who was off both Sunday, December 20, 2009 and Monday, December 21, 2009, was given a room both Saturday (12/19) and Sunday (12/20). To make matters worse, Ms. Warble worked Ms. Lindsey-Grobes' shifts, and was paid overtime for both days.

11. When Plaintiff questioned Aaron Boisey, she was told that "Ms. Warble was at work when the snow began and that's the reason she was given both the room and overtime." Because of the decision to not give Plaintiff a hotel room, she was unable to get to work for several days and was given an attendance point along with Carmen Kensington, another African-American co-worker. This was done despite her showing Matt Broadwater newspaper

¹ Between December 19, 2009 and December 20, 2009 two feet of snow accumulated in the region.

articles to her supervisors showing that Prince George County residential neighborhoods were not plowed until Tuesday (12/22) and Wednesday (12/23) because the Washington Redskins Football team had a Monday night game (12/21) and all the snow plows were used to clean the stadium first.

12. On Friday, February 5, 2010, another blizzard event was predicted for the MD and DC area.² Plaintiff was at work at the time when Mr. Tony Jones, still her supervisor, began to ask the employees if they wanted hotel rooms. As soon as Plaintiff asked for one, she was told by Mr. Jones: "Carolyn, you don't work on Friday, so you can't get a room."

13. Plaintiff had two choices at that point: 1) sleep in the airport; or, 2) come up with \$300.00 a night for a private hotel room. Mr. Jones told her that she had to share a room with someone. Co-worker, Bernadette Telesford, offered to share her room with her, who is also African-American.

14. She later noticed a copy of a list of employee's who were getting hotel rooms. On the list, both Jane Warble and Lois Shahidi, white agents, were right away given rooms both Friday and Saturday night, when they were both scheduled to be off from work on Sunday and Monday. As a result of the storm, Plaintiff was forced to stay in the hotel several days because of a 3 to 4 foot snowfall.

15. On Wednesday, February 10, 2010 though Thursday afternoon, February 11, 2010, another snow storm added 12 inches of accumulation on top of the previous storm's 24 inches.

16. On Thursday, February 11, 2010, Mr. Tony Jones was again calling

² Between February 5 and February 6, 2010, 26 inches accumulated in the region.

around informing agents that they were getting hotel rooms for Friday, February 12, 2010. At that time, Plaintiff was in a room with co-workers Monyette Pope, Jackie Royster, Darlene Michael and Bernadette Telesford when she phoned Mr. Tony Jones to request a room. Mr. Jones, once again told her that she could not get a room because she was off Friday (12/12).

17. Darlene Michael, a white agent, who was also off on Friday (12/12), called Mr. Jones from the same phone seconds after Plaintiff had called. Ms. Michael asked for a room, and she was told, "Yes. Not to worry', she would be okay."

18. Plaintiff had to work overtime on Friday (12/12) in order to get a room. However, Darlene Michael (who was also off on Friday and did not pick up overtime) was given a room and allowed to sleep in while Ms. was working like an indentured servant. To make matters worse, Plaintiff was ultimately was paid straight time instead of overtime for her work during the storms.

19. Defendant's management failed to provide Plaintiff with a valid or reasonable explanation for its actions with regard to her complaints of disparate treatment regarding her employment. Furthermore, when the Plaintiff complained of the disparate treatment

20. As stated above, these actions, policies, rules and regulations enacted, implemented and enforced against Plaintiff were designed specifically to discriminate against Plaintiff in their terms because of Plaintiff's family's race, color, religion, sex, familial status, disability and/or national origin in violation of 42 U.S.C. §§2000(e), et seq., 29 U.S.C. §§621, et seq., 29 U.S.C. §§701, et seq. and 42 U.S.C. §§12101, et seq.

21. The Defendant employer employs over 500 employees.

22. The discrimination as aforesaid occurred between December 18, 2009 and February 12, 2010. When the Plaintiff complained of the disparate treatment she was accused of alleged performance based deficiencies spanning from January of 2010 through May of 2010 and through to the present time.

23. Plaintiff filed charges with the Equal Employment Opportunity Commission (EEOC) who issued a Determination on July 31, 2013 that the Defendant's conduct violated 42 U.S.C. §§2000(e) (Title VII of the Civil Rights Act of 1964). See: Exhibit 1. Defendant refused to conciliate and Plaintiff received a right to sue letter from the EEOC on or about January 31, 2014 See: Exhibit 2.

24. The discriminatory actions of the Defendant as aforesaid were intentional, wilful and taken in malicious and wanton disregard for the rights of Plaintiff. Furthermore, the Defendant's retaliation for the complaints of discrimination as well as their refusal to accept responsibility for their actions has caused Plaintiff conscious pain and suffering, lost wages and medical bills.

WHEREFORE, the Plaintiff, Carolyn Lindsey-Grobes, prays that this honorable Court enter an Order that:

A. Declares that the discriminatory practices of the Defendant, as set forth above, violate 42 U.S.C. §§2000(e), et seq.;

B. Enjoins the Defendants, their agents, employees, and successors, and all other persons in active concert or participation with any of them, from discriminating on the base of race, color, sex, familial status, disability and/or national origin in any aspect of their employment;

C. Awards such damages as would fully compensate Plaintiff due to Defendants' discrimination and for injuries caused by Defendants' discriminatory actions including but not limited to back pay and reinstatement to her former position, as well as attorneys fees and costs in the amount of \$300,000.00;

D. Awards punitive damages to Plaintiff as a result of Defendants discriminatory practices as alleged, and;

E. Such other and further relief as the interests of justice so require.

Respectfully submitted,

/s/

Robert E. Joyce
Federal Bar I.D. #26427
841 E. Fort Avenue
#250
Baltimore, MD 21230
(443) 904-5706

Attorney for Plaintiff

PRAYER FOR JURY TRIAL

Plaintiff, Carolyn Lindsey-Grobes, by and through undersigned counsel, hereby respectfully requests a jury trial in this matter.

Respectfully submitted,

/s/

Robert E. Joyce
Federal Bar I.D. #26427
841 E. Fort Avenue
#250
Baltimore, MD 21230
(443) 904-5706

Attorney for Plaintiff